

BEFORE THE HUMAN RIGHTS COMMISSION  
OF THE STATE OF MONTANA

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HOLLY HIGHLAND,	)	
	)	
Charging Party	)	Cause No. 0031010479
	)	
vs.	)	<b>ORDER AFFIRMING</b>
	)	<b>NOTICE OF DISMISSAL</b>
	)	
BOB SMITH LINCOLN MERCURY	)	
DEALERSHIP,	)	
	)	
Respondent.	)	

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On October 10, 2003, the Human Rights Bureau issued a Final Investigative Report and corresponding Notice of Dismissal and Notice of Right to Sue in the above-captioned matter. On October 27, 2003, Holly Highland (Charging Party) facsimiled an objection to the Notice of Dismissal to the Montana Human Rights Commission (Commission). Oral argument was not requested. The Commission considered the matter on January 16, 2004.

In the Final Investigative Report, the investigator determined that Charging Party's complaint was not supported by a preponderance of the evidence. The investigator recommended a finding of no reasonable cause to believe unlawful discrimination occurred.

Since neither party submitted a brief in this matter, the Commission considered the appeal on the existing record. After careful and due consideration, the Commission concludes the findings of the Human Rights Bureau are supported by the record and, therefore, there was no abuse of discretion in the issuance of a Notice of Dismissal. *Admin. R. Mont. 24.9.1714(3)*

Charging Party will have 90 days after the receipt of this order to petition a district court in the district where the alleged violation occurred for the appropriate relief. *Mont. Code Ann. § 49-2-509(5) and Admin. R. Mont. 24.9.1714(5)* If Charging Party fails to commence a civil action within 90 days, the claim is time barred. *Id.*

IT IS HEREBY ORDERED, that Charging Party's objection is overruled and Notice of Dismissal is affirmed.

Dated this \_\_\_\_\_ day of January 2004

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Mr. Gary Hindoién, Chair  
Montana Human Rights Commission

## CERTIFICATE OF SERVICE

The undersign employee of the Human Rights Bureau certifies that a true copy of the forgoing Human Rights Commission ORDER was served on the following persons by U.S. mail, postage prepaid, on January \_\_\_\_\_ 2004.

HOLLY HIGHLAND  
3400 CANYON DRIVE 2A  
BILLINGS MT 59102

BOB SMITH  
BOB SMITH LINCOLN MERCURY DEALERSHIP  
2344 CENTRAL AVENUE  
BILLINGS MT 59102

MARIEKE BECK  
DEPARTMENT OF LABOR AND INDUSTRY  
OFFICE OF LEGAL SERVICES  
PO BOX 1728  
HELENA MT 59624-1728

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Montana Human Rights Bureau